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M-28

SEPT. 7, 1943

## WAR PRODUCTION BOARD

## PART 1226—GENERAL INDUSTRIAL EQUIPMENT

(Conservation Order M-28, as Amended September 7, 1943)

## CHLORINATED HYDROCARBON REFRIGERANTS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of chlorinated hydrocarbon refrigerants for defense, for private account and for export, and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

1226-27 Conservation Order M-28--(a) Definitions. For the purpose of this order:

(1) "Chlorinated hydrocarbon refrigerants" means trichloromono-fluoromethane, dichlorodifluoromethane, dichloromonofluoromethane, trichlorotrifluoroethane, and dichlorotetrafluoroethane.

(2) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons whether incorporated or not.

(3) "Producer" means any person engaged in the production of chlorinated hydrocarbon refrigerants.

(4) "Contract agent" means any person engaged in the business of accepting orders for chlorinated hydrocarbon refrigerants on behalf of and as agent for a producer.

(5) "Supplier" means any person engaged in the business of distributing chlorinated hydrocarbon refrigerants to persons using the same for installation in a refrigerating or air conditioning "system". The term shall include an equipment manufacturer to the extent that he engages in the sale of such refrigerants to distributors or dealers handling "systems". "System" means any "system" as defined in General Limitation Order L-38.

(6) "Equipment manufacturer" means any person who uses chlorinated hydrocarbon refrigerants for charging new refrigerating or air conditioning systems manufactured by him.

(7) "Insecticide manufacturer" means any person who uses chlorinated hydrocarbon refrigerants in the production of insecticides.

(8) "User" means any person who installs chlorinated hydrocarbon refrigerants in a refrigerating or air conditioning system.

Formerly Part 970, § 970.1.

erants in a refrigerating or air conditioning system other than an equipment manufacturer.

(9) "Comfort cooling system" means any air conditioning system of a type described on List A, made a part of this order.

(b) Classification of uses of chlorinated hydrocarbon refrigerants. The uses of chlorinated hydrocarbon refrigerants are hereby classified as follows:

Class I: Army, for use in new or existing refrigeration and air conditioning systems.

Class II: Navy, for use in new or existing refrigeration and air conditioning systems.

Class III: (a) Maritime Commission or War Shipping Administration, for charging new refrigeration or air conditioning systems at factories of equipment manufacturers.

(b) Maritime Commission or War Shipping Administration, for charging new refrigeration or air conditioning systems in the field.

(c) Maritime Commission or War Shipping Administration, for maintenance and repair of systems already installed.

Class IV: (a) For maintenance of industrial, wholesale, retail, and household refrigeration systems used for the processing, storage, and dispensing of food and food products; but excluding systems referred to on List A or List B.

(b) For maintenance of the specified refrigerating and air conditioning systems and special uses, as described on List C.

(c) For maintenance of all other refrigeration and air conditioning systems not included under (a) or (b) above, and not on List A or List B. This class includes sealed railroad cars.

Class V: Charging new refrigeration and air conditioning systems in the field except those systems owned and operated by the Army, Navy, Maritime Commission and War Shipping Administration, and excluding comfort cooling systems.

Class VI: Charging new equipment by an equipment manufacturer, exclusive of comfort cooling systems. This class does not include charging systems for Army, Navy, Maritime Commission and War Shipping Administration.

Class VII: Maintenance and repair of comfort cooling systems and maintenance and repair of refrigeration equipment used solely for storing or dispensing carbonated or malt beverages. This class does not include systems owned and operated by Army, Navy, Maritime Commission or War Shipping Administration.

Class VIII: Inventory—Surplus refrigerants in excess of one month's anticipated requirements.

(c) Certification of orders by users, and deliveries thereunder—(1) Orders

must be certified. On and after July 15, 1943, no user shall place an order with a supplier or any other person, and no supplier or other person shall accept such an order, for any chlorinated hydrocarbon refrigerants unless such order (or vendor's delivery receipt) is accompanied by a certificate endorsed thereon, or attached to it, showing the uses for which the refrigerants are required, and in substantially the following form:

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he has no empty or surplus cylinders, and that the refrigerants covered by this order are required for immediate use for the following purposes, as classified in Conservation Order M-28:

Classification (Here list classifications included in the purchase order and the specific use if in Class IV.)	Quantity Required (Here list minimum operating charge in pounds, or ordered for each classification and for each specific use if in Class IV.)
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Such certificate shall in every case be signed by the user or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board, as well as to the supplier, that the facts stated therein are true. No supplier shall make any delivery under such an order if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

On and after July 15, 1943, no supplier shall deliver any chlorinated hydrocarbon refrigerants except pursuant to an order accompanied by such a certificate as provided for above.

(2) Deliveries to be subject to restriction. If and whenever any use shall be prohibited, as provided in (g) below, no user shall install or use any chlorinated hydrocarbon refrigerants for such a use, regardless of the purpose for which it was acquired.

(d) Certification of orders by suppliers; records; deliveries by suppliers (1) Orders must be certified. On or before

July 15, 1943 and on or before the 10th day of each calendar month thereafter, each supplier who wishes to secure delivery of chlorinated hydrocarbon refrigerants through any contract agent during the next calendar month, shall place his order for such refrigerants with the contract agent. No supplier shall place such an order with a contract agent, and no contract agent shall accept such an order unless it is accompanied by a certificate endorsed thereon or attached thereto showing the use for which the refrigerants are acquired, and the supplier's deliveries during the preceding month, in substantially the following form (except that deliveries made prior to July 15, 1943, may be estimated).

The undersigned purchaser hereby certifies to the seller and to the War Production Board that to the best of his knowledge, information and belief, the quantities of chlorinated hydrocarbon refrigerants covered by this order will be required during the next calendar month for deliveries by him for the following classified purposes, as described in Conservation Order M-28 and that he made deliveries during the preceding month of ----- as shown below:

Classification	Quantities required	Deliveries in preceding month
(Here list classifications included in purchase order)	(Here list quantity, in pounds, ordered for each classification)	(Here show quantities delivered in preceding month for each classification)

Such certificate shall in every case be signed by the supplier or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board as well as to the contract agent, that the facts stated therein are true. No contract agent shall approve or request any such delivery if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

On and after August 1, 1943, no contract agent shall approve or request delivery of any chlorinated hydrocarbon refrigerants to any supplier except pursuant to an order placed, and accompanied by such a certificate, as provided for above.

(2) Records must be kept. Each supplier shall keep records showing the quantities of chlorinated hydrocarbon refrigerants delivered by him during each month for the various uses as classified in paragraph (b) above and the quantities of such refrigerants allocated to him each month for deliveries in each of such classifications.

(3) Deliveries of dichlorodifluoromethane (sometimes called "F-12") after September 7, 1943, for uses in (c) of Class IV and (a) and (b) of Class III. (i) Dichlorodifluoromethane (or "F-12") will not be allocated for the uses included in part (c) of Class IV, or in parts (a)

1 (b) of Class III, by means of regular monthly deliveries to suppliers.

(ii) Instead in the event a system of any type which is included on List C (in Class IV (c)) should become inoperative for lack of the refrigerant, a separate application for the refrigerant must be made by the owner of the system, directly to the War Production Board, General Industrial Equipment Division, by letter, telegram, or other communication, stating (a) whether the system is used for air conditioning or refrigeration, (b) its size or capacity in horsepower or tons of refrigeration, (c) the minimum operating charge necessary to restore the system to operation, (d) why conversion to another type of refrigerant is not practicable, (e) the functional use of the system in the plant, and (f) the end product being processed by its use. If the application is granted, the Board will issue a specific direction to the producer authorizing and directing delivery of a specified quantity to be made to the owner of the particular system for the use specified. No user, supplier, or other person shall deliver any dichlorodifluoromethane (or "F-12") to the owner of such a system unless and until the Board has specifically directed such delivery to be made.

(iii) An equipment manufacturer who needs dichlorodifluoromethane (or "F-12") for charging new systems for the Maritime Commission or War Shipping Administration at the factory or in the field (included in parts (a) and (b) of Class III) must make a separate application, directly to the War Production Board, General Industrial Equipment Division, by letter, telegram or other communication stating the procurement order number and (a) if the refrigerant is for factory charging, the minimum amount which he will need to meet his scheduled deliveries for the next month, and what part of the amount is for spare charges, or (b) if for charging in the field, the minimum amount, in addition to his inventory available for such use, which he will need during the next month to meet the ship-launching schedule. If the application is granted, the Board will issue a specific direction to the producer authorizing and directing delivery of a specified quantity to be made to the equipment manufacturer for the use specified. No person shall deliver any such refrigerant to an equipment manufacturer for such purpose unless and until the Board has specifically directed such delivery to be made.

(iv) This paragraph (d) (3) shall be followed, as long as it remains in effect, notwithstanding any other provisions of

this order. However, suppliers will continue to place their orders for refrigerants, for uses described in Class III, in parts (a), (b) and (c) and Class IV in parts (a), (b) and (c) in accordance with paragraph (d). When an application is made in accordance with this paragraph, (d) (3), the user is not required to furnish the certificate referred to in paragraph (c) (1).

(4) Deliveries by suppliers during August 1943 and subsequent months. (i) During the month of August, 1943, and each succeeding calendar month, no supplier shall deliver for any use a greater quantity of refrigerants than is allocated to him during such month for that use, except as provided in (ii) below. A supplier shall rely upon the notification given him, by the contract agent with whom his order was placed, as to the quantities allocated the supplier for each of such uses during each calendar month, unless he knows or has reason to believe that such notification is incorrect, incomplete or false.

(ii) If a supplier has exhausted the quantity allocated him for classifications I, II, III, or IV during any calendar month, he may use his supply in classification VIII for the classification exhausted. If classifications IV and VIII become exhausted, he may then draw upon the supply allocated for classifications V or VI.

(iii) No supplier shall deliver during any month any such refrigerants allocated to him for delivery to or for use by the Army, Navy, Maritime Commission, or War Shipping Administration (Classes I, II and III) for use by any other person during that month; and no supplier shall deliver to or for use by any of such agencies any refrigerants which were allocated to him for civilian uses (Classes IV, V, and VI) during that month.

(iv) Any chlorinated hydrocarbon refrigerants allocated for classifications I through VII during any month and not delivered by the supplier during the month shall be transferred by him to classification VIII (Inventory), at the end of such month. If notice of his allocations for the following month has not been received by the first day of the month, the amount transferred to Class VIII (Inventory) from any classification may continue to be used for such classification; provided that the amount so used is restored to Class VIII, by deduction from the new allocation for that classification, as soon as notice of the new allocation for such month is received.

(e) Certification of orders by contract agents, equipment manufacturers, and insecticide manufacturers—(1) By contract agents. On or before the 20th day of each calendar month, commencing with the month of July, 1943, each contract agent who transmits orders for chlorinated hydrocarbon refrigerants from suppliers to a producer, for delivery during the next calendar month, shall place a written request for shipments, covering all of such orders, with

the producer. No contract agent shall place such orders with a producer, and no producer shall accept such orders unless accompanied by the request with a certificate endorsed thereon or attached thereto, showing the uses for which the refrigerants are ordered, and deliveries made during the preceding month by suppliers placing orders through the agent, and in substantially the following form (except that deliveries prior to July 15, 1943 may be estimated):

The undersigned contract agent hereby certifies to the producer and to the War Production Board that he has received orders for shipment of the quantities of chlorinated hydrocarbon refrigerants covered by this request for shipments, for the following classified purposes as described in Conservation Order M-28; and that deliveries during the preceding month of \_\_\_\_\_ were made as shown below:

Classification	Quantities requested	Deliveries in preceding month
(Here list classifications included in all purchase orders)	(Here list aggregate quantities in pounds ordered for each classification by suppliers)	(Here show aggregate quantities delivered in preceding month for each classification, as shown by suppliers' certificates)

Such certificate shall in every case be signed by the contract agent or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board as well as to the producer, that the facts stated therein are true. No producer shall make any such shipment or delivery if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

(2) *By equipment and insecticide manufacturers.* On or before the 20th day of each calendar month, commencing with the month of July, 1943, each equipment manufacturer or insecticide manufacturer who wishes to secure delivery of chlorinated hydrocarbon refrigerants from a producer during the next calendar month shall place his order for such refrigerants with the producer. No such manufacturer shall place such an order with a producer, and no producer shall accept such an order unless it is accompanied by a certificate endorsed thereon or attached thereto, showing the uses for which the refrigerants are acquired, and the quantities used during the preceding month, in substantially the following form:

The undersigned purchaser hereby certifies to the seller and to the War Production Board that, to the best of his knowledge, information and belief, the quantities of chlorinated hydrocarbon refrigerants covered by this order will be required by him during the month of \_\_\_\_\_ for the following purposes, according to the classifications described in Conservation Order M-28 (or for the production of insecticide for the Army or for the Navy); and that he used

such refrigerants during the preceding month of \_\_\_\_\_ as shown below:

Proposed use	Quantities required	Used in preceding month
(Here show whether proposed use is for insecticide, or for classification under M-28, or for each.)	(Here list quantity in pounds ordered for each use, (1) classification.)	(Here show quantities used in preceding month for each.)

Such certificate shall in every case be signed by the equipment or insecticide manufacturer or his authorized official, either manually or as provided in Priorities Regulation No. 7. It shall constitute a representation to the War Production Board, as well as the seller, that the facts stated therein are true. No producer shall make any delivery under such an order if he knows, or has reason to believe, that such certificate contains any false, inaccurate or incomplete statement. He may rely thereon if he does not know or have any reason to believe that a certificate is inaccurate, incomplete or false.

On and after August 1, 1943, no producer shall deliver any chlorinated hydrocarbon refrigerants to any equipment manufacturer or insecticide manufacturer except pursuant to an order placed, and accompanied by such a certificate, as provided for above.

(1) *Shipments by producers.* (1) *Statement of requested shipments.* On or before the 25th day of each calendar month, commencing with the month of July 1943, each producer shall file with the War Production Board a statement showing: the orders for chlorinated hydrocarbon refrigerants which have been transmitted to him by contract agents, or which have been placed with him by equipment and insecticide manufacturers, for delivery during the next calendar month, and the uses for which the refrigerants are ordered, as indicated by the certificates accompanying the orders; the quantity of such refrigerants which will be available for delivery by him, during such month; and his deliveries of such refrigerants to the suppliers and equipment and insecticide manufacturers, during the preceding calendar month (except that deliveries to suppliers prior to August 1, 1943, need not be shown by classifications).

(2) *Deliveries by producers.* On and after July 10, 1943, no producer shall deliver any chlorinated hydrocarbon refrigerants to any person, or for any use, except in accordance with specific directions from the War Production Board. Such directions will be issued primarily to insure the meeting of defense requirements, and of the more essential needs if and whenever all cannot be met. Such directions may specify the aggregate quantities of such refrigerants which shall be delivered by the producer during any calendar month (or other period) for any of the classifications of uses established by this order or for other requirements (including Lend-Lease, and the production of insecticide, separately, for Army and Navy

use), or the pro ration of the available supply among all or any part of the various classifications and other requirements, or establish a reserve or emergency stock to be held by the producer. Such directions may also direct the producer to make such adjustments in his deliveries as may appear reasonable and appropriate to equalize the inventories held by suppliers, so as to more nearly assure all suppliers of a minimum working inventory whenever practicable. Directions issued under this order to a producer and directing deliveries to be made by him for specified uses or in specified quantities shall be deemed a locations of the refrigerants for the purposes specified and, subject to the provisions of this order, no producer, supplier, equipment manufacturer or insecticide manufacturer shall make or receive delivery for any other purpose.

(g) *Prohibited uses (List B), emergency cases.* (1) No user, supplier, contract agent, or producer shall deliver or cause to be delivered to the owner of any system, any chlorinated hydrocarbon refrigerants for use in, or for resale for use in any system of the types described on List B, made a part of this order. Such list may be changed from time to time (from month to month, or otherwise) by amendments to this order, as the War Production Board may consider necessary to assure sufficient supplies of such refrigerants in all areas and for the uses which are deemed most essential to the national defense.

(2) *An authorization for an exemption from the terms of paragraph (g) (1) above may be allowed by the War Production Board when an air conditioning system must be operated (i) to avoid intolerable conditions in sealed or substantially airtight rooms or enclosures used for essential purposes, or (ii) to protect the life or health of a person under care of a licensed physician. An exemption from the requirement of paragraph (d) that a supplier's order must be placed by the 10th of the month preceding that in which delivery is required, may be allowed when the supplier demonstrates that, due to causes beyond his control, it will be impossible for a delivery in classifications I, II, III, or IV to be met by him or any other supplier or user unless an exemption is allowed. Application for such an authorization may be made by or on behalf of the person affected by such restriction, by letter or telegram or other communication addressed to the General Industrial Equipment Division, War Production Board, stating facts sufficient to enable the Board to determine the necessity for such authorization. If granted the authorization may be by letter or telegram, and shall be transmitted by the applicant to the person who will supply such refrigerants, and shall be deemed an authorization to any user or supplier to furnish or install the minimum operating charge necessary to maintain such system in adequate operation.*

(h) *Notification of customers.* Any producer, contract agent, supplier, or

person who is prohibited from or restricted in making deliveries of any chlorinated hydrocarbon refrigerants by the provisions of this order, and any producer who is prohibited from or restricted in making any such deliveries and directions issued hereunder and received by him from the War Production Board, shall as soon as practicable notify each of his regular customers of the requirements of this order or of such restrictions; but the failure to give such notice shall not excuse any customer from the obligation of complying with any requirement of this order, or of any other directions applicable to such customer and of which he has notice.

(i) *Effect of preference ratings.* The provisions of this order shall be followed by every producer, contract agent, supplier, user, equipment manufacturer, manufacturer, and any other person buying, selling or delivering chlorinated hydrocarbon refrigerants, without any regard to any preference ratings which have been assigned or which may hereafter be assigned to particular contracts or orders.

(j) *Miscellaneous provisions.* — 1) *Applicability of regulations.* This order shall apply to all transactions affected thereby, subject to all applicable regulations of the War Production Board, as issued and amended from time to time.

(2) *Monthly reports.* Each person including a producer, contract agent, supplier, equipment manufacturer, manufacturer, who has in his possession on the 5th day of any calendar month in excess of 500 pounds of any type of chlorinated hydrocarbon refrigerants, and any person who sold in excess of 1000 pounds of any type of such refrigerants during the preceding calendar month, shall file with the War Production Board, on or before the 20th day of each month, commencing with the month of July 1943, a report on Form WPB-1054 prepared in accordance with the instructions for such form.

(3) *Violations.* Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control, and may be deprived of priorities assistance.

(4) *Appeals.* Any appeal from the provisions of this order, or any direction thereunder, shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(5) *Communications.* All reports to be filed and other communications concerning this order should be addressed to: War Production Board, General In-

dustrial Equipment Division, Washington 25, D. C., Ref: M-28.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1944.

Issued this 7th day of September 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary

LIST A: "Comfort cooling system" means any system, of any size, operated or installed for the purpose of lowering the temperature and/or humidity of air in any building, room or other enclosure used as, or located in any of the following:

- Amusement parks
- Animal hospitals
- Auditoriums
- Ballrooms, dancing studios and dance halls
- Bank and loan associations
- Bars, cocktail lounges, and beer parlors
- Bowling alleys
- Concert halls
- Funeral parlors
- Golf clubs, country clubs, and athletic clubs
- Hotels and apartment houses
- Moving picture houses
- Night clubs
- Office buildings and offices, public or private
- Railway, streetcar and bus stations and terminals
- Residential buildings and dwellings of all kinds
- Restaurants, cafeterias, and other places selling meals, food or beverages
- Schools
- Service establishments, such as laundries, cleaners and dyers, tailor shops, barber shops, "beauty" parlors, automobile sales and service shops, and repair shops of all kinds
- Skating rinks
- Stores, selling any kind of products, material or merchandise, at retail or wholesale (excluding manufacturing establishments).

The term "comfort cooling system" shall not include (i) any such system used to air condition a building, room or other enclosure used chiefly for purposes not listed above, or (ii) any system designed, necessary and used, in substantial part for the refrigeration and storage or processing of food, ice, or other materials or products requiring refrigeration, temperature control, or freedom from dust or other impurities, or (iii) such part of a system as may be necessary and used for the circulation of air, or necessary and used for raising the temperature of air during cold weather to a degree which is comfortable or tolerable for persons (comfort heating).

LIST B: Systems for which chlorinated hydrocarbon refrigerants shall not be delivered.

Systems:	Effective date
Comfort cooling systems.....	June 5, 1943
Skating rink systems.....	June 5, 1943
Refrigeration systems solely for storing or dispensing carbonated or malt beverages.....	July 10, 1943

LIST C: Systems and special uses, referred to in Class IV (b), for which a minimum operating charge or the minimum quantity necessary for a special use, or for a "standby charge" of dichlorodifluoromethane (or "F-12") may be obtained by a user from

any supplier, without a specific authorization from the War Production Board. If the supplier has on hand any such refrigerants which were allocated to him for uses covered by Class IV (b), or are carried over from his previous month's supply and are available for such use in accordance with paragraph (d) (4) (iv), a "standby charge" may be delivered only where specifically mentioned below. The systems covered by this list include only those which are operated for air conditioning or refrigeration exclusively for one or more of the following purposes:

#### AIR CONDITIONING

1. Air conditioning equipment in crane cabs.
2. Air conditioning in communication rooms which are sealed, including telephone or telegraph relay stations and exchanges and control rooms of radio stations, if no other rooms are conditioned by the system.
3. Air conditioning to maintain prescribed conditions in laboratories where the tests being conducted are directly concerned with the production of parts or instruments for aircraft, combat tanks, ships, radio and radar equipment and other military combat equipment.
4. Air conditioning for temperature and humidity control in the production of gyroscopic instruments and compasses.
5. Air conditioning for temperature and humidity control in the production of turbo superchargers.
6. Air conditioning for temperature and humidity control in hospital operating rooms.
7. Air conditioning for humidity controls in annealing furnaces.
8. Air conditioning for temperature and humidity control in electro-drying of aluminum castings containing a percentage of magnesium, (including standby charge).
9. Air conditioning for humidity control for production of optical products going into the production of fire control instruments for range finding, etc., Army and Navy telescopes, height finders, bombsights, and air borne control station computers.
10. Air conditioning for the production and storage of penicillin and blood serum, (including standby charge).

#### REFRIGERATION

1. Low temperature metal shrinking cabinets.
2. Low temperature rivet storage for aircraft production.
3. Cooling of oil or other coolant in high speed machining and cutting operations in the production of military aircraft and other combat vehicles.
4. Cooling of anodizing solutions where the product produced is used directly in military ordnance material.
5. Controlling reactions in photographic solutions for the development and printing of X-ray, news, and motion picture film or prints.
6. Cooling of X-ray apparatus used in the analysis of castings in the production of air-

14. Refrigeration for cooling of welding  
tips used on spot-welders in the production  
of military aircraft.

- 1 Testing of coaxial cable
- 2 Cooling of transformers where no refrigeration equipment is involved in the process.
- 3 Charging of gas filled condensers for radio frequency equipment.

/ a. Reports of inventories. The reporting requirement of paragraph (j) (2) of Order M-28 [§ 970.1] must be complied with regardless of whether the chlorinated hydrocarbon refrigerants are being held by the owner for his own use or for resale.

Each "person", as defined in the order, must report the aggregate quantities in his possession (including stocks of less than 500 pounds located at various places) if the total is more than 500 pounds.

The report must include all amounts not actually being used in refrigerating or air conditioning systems. Thus the owner or operator of a system who has more than 500

An equipment manufacturer who has more than 50 pounds in his possession on the 1st day of any calendar month must report its entire supply except what has been actually installed as an operating or holding charge in accordance with his regular manufacturing practice.

b. **Charging of equipment manufacturers.** Paragraph (g) provides that no user, supplier, contract agent, or producer shall deliver, or cause to be delivered, to the owner of any system any chlorinated hydrocarbon refrigerants for use in, or for resale for use in any system of the types described on List II.

of the types described in List B. The manufacturer is intended to prevent charging any system of the types included in List B with chlorinated hydrocarbon refrigerants except for a person who was operating a system and had the necessary refrigerant in his possession on the effective date specified in List B. Therefore, a manufacturer may not charge any such system with chlorinated hydrocarbon refrigerants before delivery, and he may not deliver the refrigerant to a person for charging the system. However, he is not restricted from delivering systems which had already been charged with such a refrigerant on the effective date specified in List B. (Issued July 29, 1943.)